

ENTERED

March 04, 2022

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SHENEKA LUCENIO,
Plaintiff,

v.

HOUSTON INDEPENDENT SCHOOL DISTRICT,
Defendant.

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CIVIL ACTION NO. 4:21-cv-00650

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

Having reviewed the Magistrate Judge's Memorandum and Recommendation dated February 16, 2022 (Dkt. 27), the Court is of the opinion that said Memorandum and Recommendation should be adopted by this Court.

It is therefore **ORDERED** that the Magistrate Judge's Memorandum and Recommendation is hereby **ADOPTED** by this Court.

Accordingly, the following claims are **DISMISSED WITH PREJUDICE**:

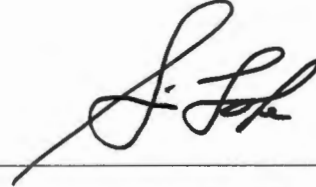
- Failure to provide veteran's employment preference under Texas Government Code § 657.003;
- Failure to provide veteran's employment preference under 5 U.S.C. § 2108;
- Discrimination under 34 U.S.C. § 12601;
- Discrimination and retaliation under 42 U.S.C. § 1981;
- Constitutional and federal law violations under 42 U.S.C. § 1983;
- Title VII and retaliation claims for all discriminatory conduct occurring before February 26, 2019;
- Title VII and retaliation claims for failure to investigate the June 2019 grievance.

The following claims are **DISMISSED WITHOUT PREJUDICE**:

- Title VII claims for failure to promote on or after February 26, 2019;
- Title VII claims for failure to rehire in 2019.

Pursuant to this Order, the only claims that remain in this case are Lucenio's Title VII race discrimination claim based on wrongful termination and Title VII retaliation claims based on failure to promote, failure to rehire, and wrongful termination.

SIGNED at Houston, Texas this 4th day of March, 2022.

A handwritten signature in black ink, appearing to read 'S. Lake', written over a horizontal line.

SIM LAKE
SENIOR UNITED STATES DISTRICT JUDGE